




City of Huntington Beach Planning Department **STUDY SESSION REPORT**

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning
BY: Rami Talleh, Senior Planner 
DATE: September 22, 2009

**SUBJECT: ENTITLEMENT PLAN AMENDMENT NO. 07-001 (PIERSIDE PAVILION
MODIFICATION TO MIX OF USES – AMENDMENT TO CONDITIONAL USE
PERMIT NO. 90-37/COASTAL DEVELOPMENT PERMIT NO. 90-21
– 300 PACIFIC COAST HIGHWAY)**

PROJECT REQUEST AND SPECIAL CONSIDERATIONS

Entitlement Plan Amendment No. 07-001 represents a request for the following:

To amend Conditional Use Permit No. 90-37 and Coastal Development Permit No. 90-21 by modifying the established mix of uses at Pierside Pavilion. The applicant requests to eliminate the theater use and increase retail, office, and restaurant square footage within the building to address the changing patterns of Downtown Huntington Beach and meet current market demands. The proposed modification only addresses the established mix of uses. The applicant does not propose to expand the square footage of the building or modify the exterior. A comparison of the existing and proposed mix of uses is provided in the applicant's narrative (Attachment No. 4).

Entitlement Plan Amendment No. 07-001 was filed on January 11, 2007 and subsequently withdrawn to complete negotiations with the Economic Development Department to amend a Development and Disposition Agreement (DDA). After negotiations were completed and the Owner Participation Agreement (OPA) was approved by the City Council on July 6, 2009, the applicant resubmitted and reactivated EPA 07-001 on July 21, 2009.

CURRENT LAND USE, HISTORY OF SITE, ZONING AND GENERAL PLAN DESIGNATIONS

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	MV-F12-sp-pd (Mixed Use Vertical – 3.0 Max. Floor Area Ratio/ 35 Dwelling Units per Acre – Specific Plan Overlay – Pedestrian Overlay)	Downtown Specific Plan District 3/Coastal Zone	Retail/Office/Theater/ Restaurants
North of Subject Property (across Walnut):	MV-F6/25-sp-pd (Mixed Use Vertical – 2.0 Max. Floor Area Ratio/ 25 Dwelling Units per Acre – Specific Plan Overlay – Pedestrian Overlay)	Downtown Specific Plan District 5/Coastal Zone	Retail/Restaurant/ Parking Structure
East of Subject Property:	MV-F12-sp-pd	Downtown Specific Plan District 3/Coastal Zone	Residential Condominiums
South of Subject Property: (across PCH)	CV-d (Commercial Visitor-Design Overlay)	Downtown Specific Plan District 10/Coastal Zone	Pier/Restaurants/Beach
West of Subject Property: (across Main)	MV-F12-sp-pd	Downtown Specific Plan District 3/Coastal Zone	Retail/Office

The City approved Conditional Use Permit No. 88-07 with Special Permits and Coastal Development Permit No. 88-03 (Attachment No. 5) to develop a mixed-use project with a 90,000 square foot entertainment complex, including retail, office and a 6-plex movie theater (Pierside Pavilion) in addition to a 130-unit condominium project (Pier Colony). The developer and the Redevelopment Agency entered into a DDA to develop the property. In 1990 the City approved Conditional Use Permit No. 90-37 and Coastal Development Permit No. 90-21 (Attachment No. 6) to change the square footage of the uses at Pierside Pavilion. The modification reduced the square footage of retail uses and increased the square footage of restaurant uses.

APPLICATION PROCESS AND TIMELINES

DATE OF COMPLETE APPLICATION:

MANDATORY PROCESSING DATE(S):

Entitlement Plan Amendment: August 31, 2009 October 28, 2009

The applicant resubmitted and reactivated EPA 07-001 on July 21, 2009. The applicant was deemed complete on August 31, 2009 and is scheduled for a Planning Commission public hearing on October 13, 2009.

CEQA ANALYSIS/REVIEW

The proposed project is Categorically Exempt pursuant to Section 15301, Class 1, of the California Environmental Quality Act, which states that minor alterations to existing structures are exempt from further environmental review.

COMMENTS FROM CITY DEPARTMENTS AND OTHER PUBLIC AGENCIES

The project is located in the Huntington Beach Redevelopment Project, Main-Pier Subarea. The Economic Development Department has reviewed the request and authorized the application to proceed. The request

is consistent with a previously adopted OPA which always for a mix of uses to occur within the building thus eliminating the theater use. The Departments of Building & Safety, Fire, Public Works, and Planning have reviewed the application and identified applicable code requirements (Attachment No. 3).

PUBLIC MEETINGS, COMMENTS AND CONCERNS

The project was presented to the Planning Commission at a Study Session on March 13, 2007 and May 22, 2007. The OPA to eliminate the theater use and allow a modification to the mix of uses was approved by the City Council on July 6, 2009. At the City Council meeting public speakers raised concerns regarding the loss of the theater use.

PLANNING ISSUES

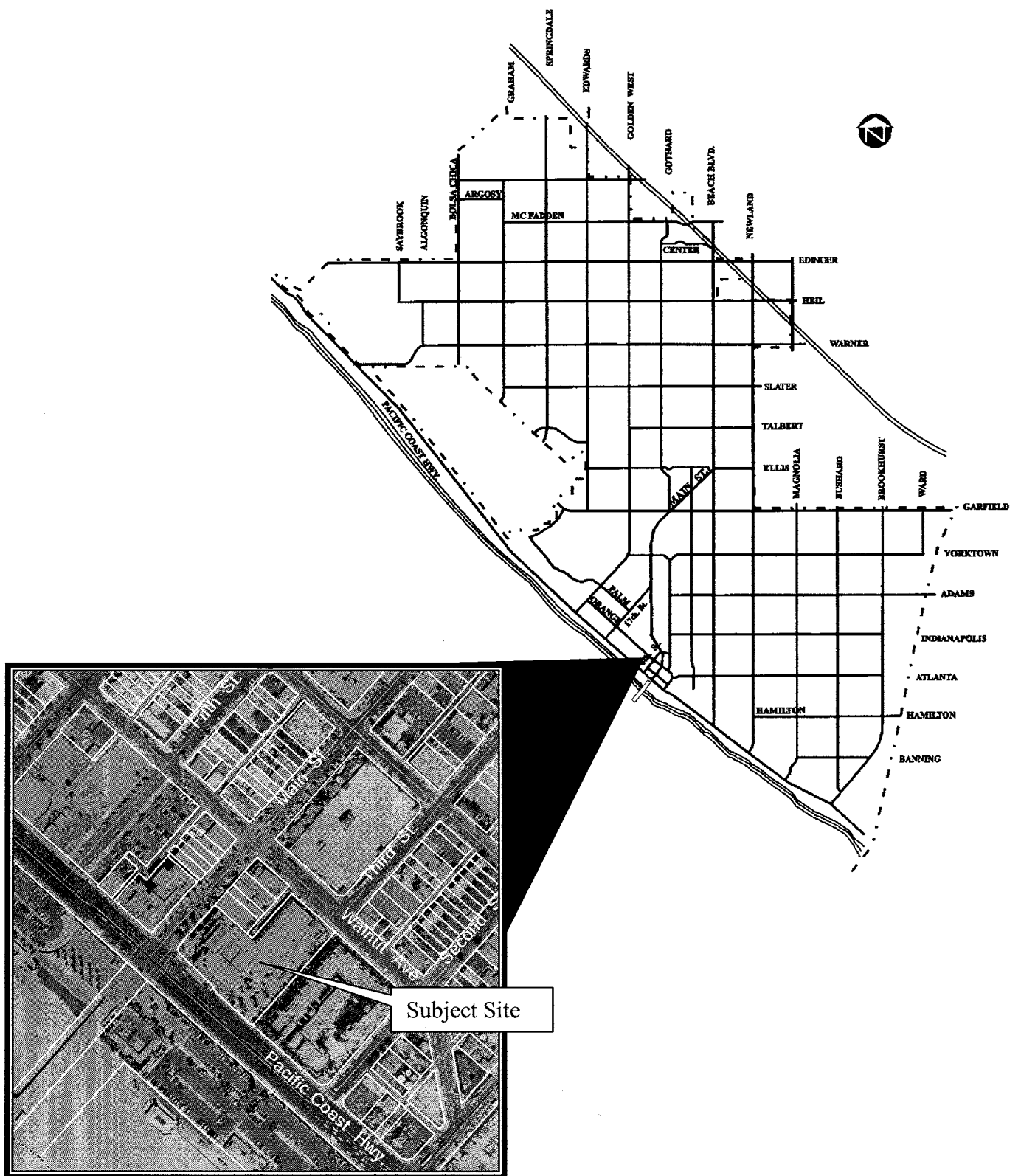
The primary issues with the proposed change to the mix of uses within Pierside Pavilion are land use compatibility and parking.

Pierside Pavilion was developed as an approximately 90,000 square foot entertainment complex including retail, restaurants, office, and a movie theater. The mixed-use development also included a 130-unit residential condominium project known as Pier Colony.

The existing Pierside Pavilion building is adjacent to the Pier Colony residential units and separated by a 65 foot wide corridor. The existing retail, restaurant, and office uses within Pierside Pavilion have a parking requirement of 303 spaces. The parking requirement for the theater is an additional 563 spaces, bringing the total number of required parking to 866 spaces. The required parking for the existing mix of uses is satisfied by an on-site 296 space parking structure and the adjacent City owned parking structure. The parking requirement for the proposed mix of uses will be reduced to approximately 418 parking spaces, a 448 space reduction. In addition, an analysis of the effect that the proposed changes to the Pierside Pavilion development would have on downtown parking was provided in a study prepared by Kimley-Horn and Associates, Inc. The study concluded that the peak parking demand for the proposed change in the mix of uses would drop from 519 spaces to 272 spaces during the Friday night peak and from 321 spaces to 297 spaces during the Saturday peak.

ATTACHMENTS:

1. Vicinity Map
2. Floor plans received and dated July 21, 2009
3. Code Requirements Letter dated September 15, 2009
4. Project Narrative dated July 21, 2009
5. Planning Commission Notice of Action Dated April 19, 1988 (TTM No. 13478, CDP No. 88-3, and CUP No. 88-7)
6. Planning Commission Notice of Action Dated July 25, 1990 (CDP 90-21 and CUP No. 90-37)



VICINITY MAP
ENTITLEMENT PLAN AMENDMENT NO. 07-01
(PIERSIDE PAVILION MODIFICATION TO MIX OF USES)
300 PACIFIC COAST HIGHWAY



ARCHITECTURE ENGINEERING

PROJECT NAME: 2ND & 3RD LEVELS

PROJECT LOCATION: 300 PACIFIC COAST HIGHWAY

PROJECT CLIENT: THEATRE COMMISSION

PROJECT ARCHITECT: PUNTINGTON BLOCK CO.

PROJECT ENGINEER: PUNTINGTON BLOCK CO.

PROJECT DATE: 1/1/2010

PROJECT SHEET: 2ND & 3RD LEVEL PLAN

PROJECT SCALE: 1/8" = 1'-0"

PROJECT DRAWN BY: PUNTINGTON BLOCK CO.

PROJECT CHECKED BY: PUNTINGTON BLOCK CO.

PROJECT APPROVED BY: PUNTINGTON BLOCK CO.

PROJECT DATE: 1/1/2010

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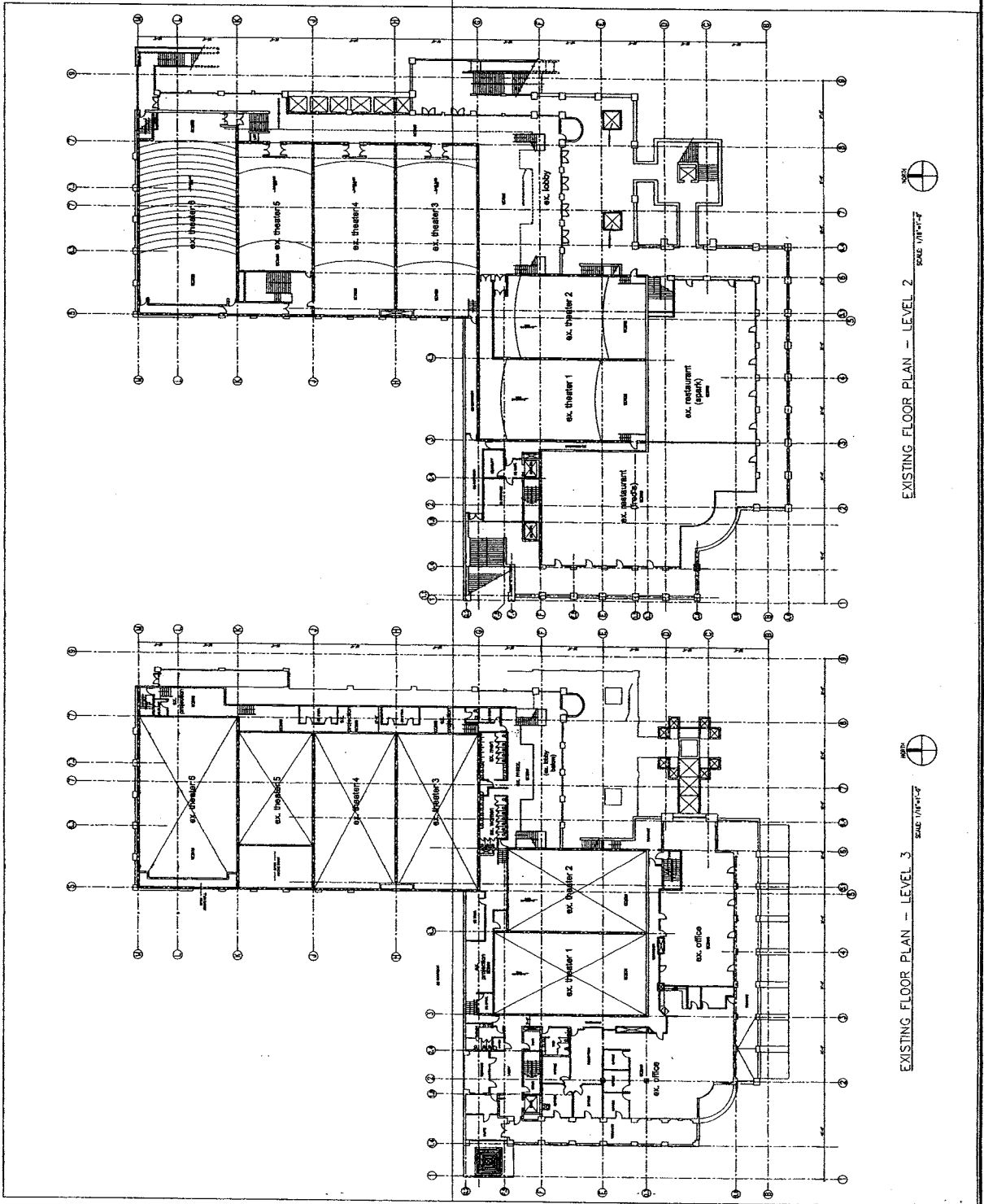
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PROJECT CHECKED BY: PUNTINGTON BLOCK CO.

PROJECT APPROVED BY: PUNTINGTON BLOCK CO.

PROJECT DATE: 1/1/2010

PROJECT SHEET: 2ND & 3RD LEVEL PLAN



EXISTING FLOOR PLAN - LEVEL 2
SCALE 1/8" = 1'-0"



EXISTING FLOOR PLAN - LEVEL 3
SCALE 1/8" = 1'-0"



ARCHITECTURE ENGINEERING

1000 EAST 10TH AVENUE, SUITE 1000
DENVER, COLORADO 80202
TEL: 303.733.1000
FAX: 303.733.1001
WWW.AE-DE.COM

PERSEE PARTNERS
TRISTAR CONVERSION
300 EAST 10TH AVENUE
HUNTINGTON BEACH, CA
92648

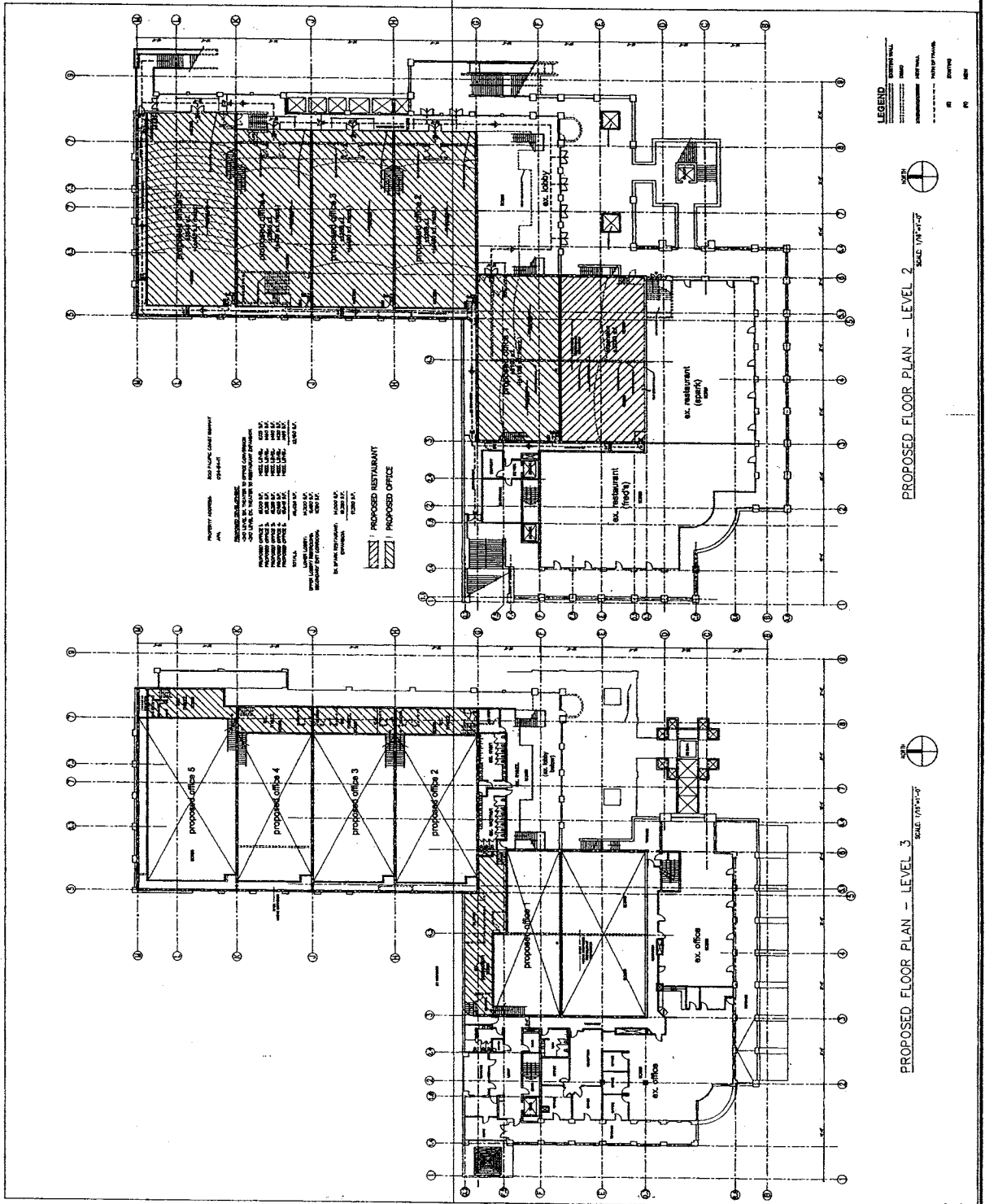
PROPOSED
2ND & 3RD LEVEL
PLAN

NO.	DATE	REVISION
1	10/10/00	ISSUED FOR PERMITS
2	10/10/00	ISSUED FOR PERMITS
3	10/10/00	ISSUED FOR PERMITS
4	10/10/00	ISSUED FOR PERMITS
5	10/10/00	ISSUED FOR PERMITS
6	10/10/00	ISSUED FOR PERMITS
7	10/10/00	ISSUED FOR PERMITS
8	10/10/00	ISSUED FOR PERMITS
9	10/10/00	ISSUED FOR PERMITS
10	10/10/00	ISSUED FOR PERMITS

NO.	DATE	REVISION
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2	10/10/00	ISSUED FOR PERMITS
3	10/10/00	ISSUED FOR PERMITS
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A-2

SHEET 1 OF 1



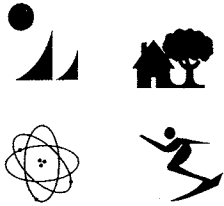
LEGEND
WALLS
DOORS
STAIRS
ELEVATORS
PARKING



PROPOSED FLOOR PLAN - LEVEL 2
SCALE 1/8" = 1'-0"



PROPOSED FLOOR PLAN - LEVEL 3
SCALE 1/8" = 1'-0"



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING

September 15, 2009

Michael C. Adams
21190 Beach Blvd.
Huntington Beach, CA 92648

**SUBJECT: ENTITLEMENT PLAN AMENDMENT NO. 07-01 (PIERSIDE PAVILION
MODIFICATION TO MIX OF USES) PROJECT IMPLEMENTATION CODE
REQUIREMENTS**

Dear Mr. Adams,

In order to assist you with your development proposal, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. This list is intended to help you through the permitting process and various stages of project implementation should the Planning Commission approve your project.

It should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Planning Commission if the project is approved. Please note that if the design of your project or site conditions change, the list may also change.

The Planning Director has interpreted the relevant Sections of the Zoning and Subdivision Ordinance to require that your project satisfy the following development standards. Should you disagree, pursuant to Section 248.24A, you have ten (10) days from the date of this notice to file an appeal with the Planning Department. The appeal fee is \$494.00.

If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at 714-374-1682 or at rtalleh@surfcity-hb.org and/or the respective source department (contact person below).

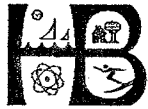
Sincerely,

Rami Talleh,
Associate Planner

Enclosure

cc: Gerald Caraig, Building and Safety Department – 714-374-1575
Darin Maresh, Fire Department – 714-536-5531
Steve Bogart, Public Works – 714-536-1692
Herb Fauland, Principal Planner
Jason Kelley, Planning Department
Joe Daichendt, Pierside Pavilion LLC., 300 Pacific Coast Highway, Huntington Beach, CA 92648
Project File


ATTACHMENT NO. 3.1



CITY OF HUNTINGTON BEACH

PUBLIC WORKS INTERDEPARTMENTAL COMMUNICATION

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: SEPTEMBER 3, 2009
PROJECT NAME: PIERSIDE PAVILION (MODIFICATION TO MIXED USE)
ENTITLEMENTS: EPA 07-01
PLNG APPLICATION NO: 2007-0008
DATE OF PLANS: AUGUST 12, 2009
PROJECT LOCATION: 300 PACIFIC COAST HIGHWAY
PROJECT PLANNER: RAMI TALLEH, SENIOR PLANNER
TELEPHONE/E-MAIL: (714) 374-1682 / RTALLEH@SURFCITY-HB.ORG
PLAN REVIEWER: JOSH MCDONALD, CIVIL ENGINEERING ASSISTANT 
TELEPHONE/E-MAIL: 714-536-5509 / JOSHUA.MCDONALD@SURFCITY-HB.ORG
PROJECT DESCRIPTION: TO MODIFY THE MIX OF USES WITHIN AN EXISTING MIXED USE BUILDING (CONVERTING THE THEATERS TO OFFICE AND RESTAURANT USES AND ESTABLISHING THE LOCATION AND LAYOUT FOR OUTDOOR DINING AND CARTS. NO EXPANSION OF THE BUILDING SQUARE FOOTAGE IS PROPOSED.)

The following is a list of code requirements deemed applicable to the proposed project based on plans as stated above. The items below are to meet the City of Huntington Beach's Municipal Code (HBMC), Zoning and Subdivision Ordinance (ZSO), Department of Public Works Standard Plans (Civil, Water and Landscaping) and the American Public Works Association (APWA) Standards Specifications for Public Works Construction (Green Book), the Orange County Drainage Area management Plan (DAMP), and the City Arboricultural and Landscape Standards and Specifications. The list is intended to assist the applicant by identifying requirements which shall be satisfied during the various stages of project permitting, implementation and construction. If you have any questions regarding these requirements, please contact the Plan Reviewer or Project Planner.

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A BUILDING PERMIT:

1. The existing domestic water meter concrete lid shall be removed and replaced with one that conforms to current Water Division Standards. (ZSO 230.84)
2. Separate backflow protection devices shall be installed per Water standards for domestic and irrigation water services. (Resolution 5921 and Title 17)

ATTACHMENT NO. 3.2

3. A separate by-pass water meter shall be installed on the existing fire backflow protection device. (ZSO 230.84)

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO FINAL INSPECTION OR OCCUPANCY:

1. All applicable Public Works fees shall be paid at the current rate unless otherwise stated, per the Public Works Fee Schedule adopted by the City Council and available on the city web site at http://www.surfcity-hb.org/files/users/public_works/fee_schedule.pdf. (ZSO 240.06/ZSO 250.16)

ATTACHMENT NO. 3.3



HUNTINGTON BEACH FIRE DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: AUGUST 31, 2009

PROJECT NAME: PIERSIDE PAVILION MODIFACATION TO MIX OF USES

ENTITLEMENTS: ENTITLEMENT PLAN AMENDMENT NO. 07-01

PROJECT LOCATION: 300 PACIFIC COAST HIGHWAY, HUNTINGTON BEACH, CA

PLANNER: RAMI TALLEH, ASSOCIATE PLANNER

TELEPHONE/E-MAIL: (714) 374-1682/ rtalleh@surfcity-hb.org

PLAN REVIEWER-FIRE: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST

TELEPHONE/E-MAIL: (714) 536-5531/ dmaresh@surfcity-hb.org

PROJECT DESCRIPTION: TO MODIFY THE MIX AND EXTENT OF USES WITHIN THE EXISTING BUILDING CONVERTING THE THEATRES TO OFFICE AND RESTARUANT USES.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated August 12, 2008. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer- Fire: DARIN MARESH, FIRE DEVELOPMENT SPECIALIST.

PRIOR TO DEMOLITION, GRADING, SITE DEVELOPMENT, ISSUANCE OF GRADING PERMITS, BUILDING PERMITS, AND/OR CONSTRUCTION, THE FOLLOWING SHALL BE REQUIRED:

Fire Suppression Systems

Fire Alarms

Modification, additions, or deletions to an existing fire alarm system shall require that separate plans (three sets) shall be submitted to the Fire Department for permits and approval. Any extended interruption of the fire alarm system operation will require a "fire watch", approved by the Fire Department. Reference compliance with XXXX in the plan notes. (FD)

ATTACHMENT NO. 3.4

Fire Sprinklers

Modification, additions, or deletions to an existing automatic fire sprinkler system or fire alarm system shall require that separate plans (three sets) shall be submitted to the Fire Department for permits and approval. Any extended interruption of the fire sprinkler system operation will require a "fire watch", approved by the Fire Department. Reference compliance with City Specification # 420 - Automatic Fire Sprinkler Systems and NFPA 13 in the plan notes. **(FD)**

Five Year Certification. Automatic fire sprinkler systems must be maintained operational at all times, with maintenance inspections performed quarterly and the system serviced every five years by a state licensed C-16 Fire Protection Contractor. **(FD)**

Fire Protection Systems

Fire Extinguishers shall be installed and located in all areas to comply with Huntington Beach Fire Code standards found in *City Specification #424*. The minimum required dry chemical fire extinguisher size is 2A 10BC and shall be installed within 75 feet travel distance to all portions of the building. Extinguishers are required to be serviced or replaced annually. **(FD)**

Fire Personnel Access

Main Secured Building Entries shall utilize a KNOX® Fire Department Access Key Box, installed and in compliance with City Specification #403, Fire Access for Pedestrian or Vehicular Security Gates & Buildings. Please contact the Huntington Beach Fire Department Administrative Office at (714) 536-5411 for information. Reference compliance with City Specification #403 - KNOX® Fire Department Access in the building plan notes. **(FD)**

Fire Sprinkler System Controls access shall be provided, utilizing a KNOX® Fire Department Access Key Box, installed and in compliance with City Specification #403, Fire Access for Pedestrian or Vehicular Security Gates & Buildings. The approximate location of the system controls shall be noted on the plans. Reference compliance in the plan notes. **(FD)**

THE FOLLOWING CONDITIONS SHALL BE MAINTAINED DURING CONSTRUCTION:

- a. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with HBFC Chapter 14, Fire Safety During Construction And Demolition. **(FD)**
- b. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with City Specification #426, Fire Safety Requirements for Construction Sites. **(FD)**

Fire Department City Specifications may be obtained at:
Huntington Beach Fire Department Administrative Office

ATTACHMENT NO. 3.5

City Hall 2000 Main Street, 5th floor

Huntington Beach, CA 92648

or through the City's website at **www.surfcity-hb.org**

If you have any questions, please contact the Fire Prevention Division at (714) 536-5411.



CITY OF HUNTINGTON BEACH

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: MAY 14, 2007

PROJECT NAME: PIERSIDE PAVILION MODIFICATION TO MIX OF USES

ENTITLEMENTS: ENTITLEMENT PLAN AMENDMENT NO. 2007-01

PROJECT LOCATION: 300 PACIFIC COAST HIGHWAY (SOUTHWEST CORNER OF PACIFIC COAST HIGHWAY AND MAIN STREET)

DEPARTMENT/PHONE: PLANNING DEPARTMENT – (714) 536-5271

PLAN REVIEWER: RAMI TALLEH, ASSOCIATE PLANNER

PROJECT DESCRIPTION: TO MODIFY THE MIX AND EXTENT OF USES WITHIN THE EXISTING BUILDING CONVERTING THE THEATERS TO RETAIL, OFFICE, AND RESTAURANT USES.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated January 11, 2007. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the (Zoning Administrator/ Planning Commission) in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

ENTITLEMENT PLAN AMENDMENT NO. 2007-01:

1. The site plan and floor plans approved by the Planning Commission shall be the conceptually approved design.
2. Prior to submittal for building permits, the following shall be completed:
 - a. Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Fire and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
 - b. Submit three (3) copies of the site plan and floor plans and the processing fee to the Planning Department for addressing purposes.
3. The Planning Director ensures that all requirements herein are complied with. The Planning Director shall be notified in writing if any changes to the site plan, elevations and floor plans are proposed as a result of the plan check process. Building permits shall not be issued until the Planning Director has reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's action and the conditions herein. If the proposed changes are of a substantial nature,

an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the Huntington Beach Zoning and Subdivision Ordinance.

4. The applicant and/or applicant's representative shall be responsible for ensuring the accuracy of all plans and information submitted to the City for review and approval.
5. Entitlement Plan Amendment No. 2007-01 shall not become effective until the ten calendar day appeal period from the Planning Commission approval of the entitlement has elapsed.
6. Entitlement Plan Amendment No. 2007-01 shall become null and void unless exercised within one year of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Department a minimum 30 days prior to the expiration date.
7. The Planning Commission reserves the right to revoke Entitlement Plan Amendment No. 2007-01 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs.
8. The project shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein.
9. The applicant shall submit a check in the amount of \$50.00 for the posting of the Notice of Exemption at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Department within two (2) days of the Planning Commission's action.
10. All landscaping shall be maintained in a neat and clean manner, and in conformance with the HBZSO. Prior to removing or replacing any landscaped areas, check with the Departments of Planning and Public Works for Code requirements. Substantial changes may require approval by the Planning Commission.
11. All permanent, temporary, or promotional signs shall conform to Chapter 233 of the HBZSO. Prior to installing any new signs, changing sign faces, or installing promotional signs, applicable permit(s) shall be obtained from the Planning Department. Violations of this ordinance requirement may result in permit revocation, recovery of code enforcement costs, and removal of installed signs.



CITY OF HUNTINGTON BEACH BUILDING DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: 8/31/2009
PROJECT NAME: PIERSIDE PAVILION MODIFICATION TO MIX OF USES
ENTITLEMENTS: ENTITLEMENT PLAN AMENDMENT NO. 2007-01
PROJECT LOCATION: 300 PACIFIC COAST HIGHWAY (SOUTHWEST CORNER OF PACIFIC COAST HIGHWAY AND MAIN STREET)
DEPARTMENT/PHONE: BUILDING DEPARTMENT – (714) 536-5241
PLAN REVIEWER: ERIC HAGHANI - (714) 374-1589 / Ehaghani@surfcity-hb.org
PROJECT DESCRIPTION: TO MODIFY THE MIX AND EXTENT OF USES WITHIN THE EXISTING BUILDING CONVERTING THE THEATERS TO OFFICE AND RESTAURANT USES.

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. Electrical, plumbing, and mechanical items are not included in this review. If you have any questions regarding these comments, please contact the plan reviewer. Compliance is required prior to building permit issuance and all applicable items must meet the Huntington Beach Municipal Code (HBMC) and the California Code of Regulations (CCR or Title 24).

I. SPECIAL CONDITIONS:

1. None

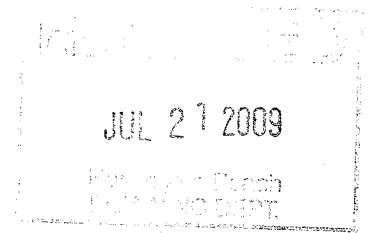
II. CODE ISSUES BASED ON PLANS/DRAWINGS SUBMITTED:

1. The codes in effect are the: 2007 California Building Code ('07 CBC), 2007 California Plumbing Code ('07 CPC), 2007 California Mechanical Code ('07 CMC), 2007 California Electrical Code ('07 CEC) and 2007 California Energy Efficiency Standards as adopted by the City.
2. Plan submittal documents must include "Conditions of Approval".
3. A Certificate of Occupancy application is required for each office.
4. The restaurant expansion shall be under separate submittal & permit process. Health Department approval is required prior to issuing the building permit for the restaurant TI.

ATTACHMENT NO. 3.9

5. Plans must be prepared and stamped and wet signed by a California licensed Architect and /or Engineer.
6. Electrical/Mechanical/Plumbing plans are under separate review and permits. Two-sets of Electrical/Mechanical/Plumbing plans are required to be submitted for review when plans are submitted for review.
7. All new areas must meet the Energy Standards of the State of California Building Code 2007 edition. Energy forms must be provided and reproduced on the plans. Print State Energy Forms ENV-1, ENV-2, MECH-1, and LTG-1 on the plans. Forms must be wet signed by the person responsible for its preparation.
8. Provide a Building Code Analysis on the title sheet. Include the following code information: Description of use, Occupancy, whether separated or unseparated, number of stories, type of construction, sprinklers, floor area, height, and allowable floor area.
9. For buildings with mixed occupancies, the allowable area per story shall be based on the most restrictive provisions for each occupancy when the mixed occupancies are treated unseparated according to CBC 508.3.2.
10. Provide notes and details for the following items:
 - a. Mixed Occupancies (508.3): Accessory Occupancies (508.3.1), Non-separated Occupancies (508.3.2), Separated occupancies (508.3.3)
 - b. Required Occupancy separation (Table 508.3.3)
11. Exit Plan (1001.1): Submit an Exit Plan that labels and clearly shows compliance with all required egress features such as, but not limited to:
 - a. Number of occupants & total width of egress requirements
 - b. Required number of exits
 - c. Location of means of egress elements
 - d. Fire-resistance-rated construction
 - e. Component design
 - f. Hardware
 - g. Lighting & signage
12. All areas of newly designed or newly constructed buildings and facilities shall be made accessible to persons with disabilities as required. California Building Code © T24 Sec. 1101B.1.
13. Plans and details shall show full compliance with all applicable accessibility provisions of the CBC Chapter 11B.
14. Show accessible path of travel from parking/street to all areas.
15. Provide accessible restroom for each office & restrooms.

MICHAEL C. ADAMS ASSOCIATES



July 15, 2009

Rami Talleh, Senior Planner
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Re: Entitlement Plan Amendment No 07-01 (Pierside Pavilion)
(Application Reactivation Request)

Dear Rami:

On May 29, 2007, Entitlement Plan Amendment No. 07-01 was withdrawn in order to complete negotiations between the property owner and the Economic Development Department. In response to the City Council's recent approval (July 6, 2009) of a new Owner Participation Agreement we are requesting that the Amendment application be reactivated.

Attached is a revised project narrative, project entitlement comparison charts, parking requirement summation and conceptual plans. The plans remain the same and show the existing conditions and proposed changes to the second and third floors. No changes are proposed on the first floor, fourth floor or the parking structure. No additional square footage is proposed nor exterior modifications. The total amount of activities will be limited to tenant improvements to convert the theatre space to the proposed uses. Twelve full sets of plans were previously submitted (July 3, 2008 in response to the May 14, 2008 Notice of Filing Status). Let us know if additional Plan sets are requested. The proposed total square footage is consistent with the previous Entitlements and the approved Owner Participation Agreement. As agreed to prior to the application withdrawal, any additional costs associated with this request will be the obligation of the Agency.

If you need any additional information to process this request, please inform my office. We look forward to working with your office on finally completing this phase of the project.

Sincerely,


Mike Adams

cc: Scott Hess
Herb Fauland
Stanley Smalewitz
Joe Daichendt

P.O. BOX 382
HUNTINGTON BEACH, CA 92648
PHONE 714.374.5678 FAX 714.374 2211
AdamsAssoc@socal.rr.com

ATTACHMENT NO. 4.1

Entitlement Plan Amendment No. 07-01

REVISED NARRATIVE (7/7/2009)

<u>Location:</u>	300 Pacific Coast Highway
<u>Business:</u>	Pierside Pavilion
<u>Request:</u>	<p>To amend the Conditional Use Permit No. 90-37 and Coastal Development Permit No. 90-21 in order to modify the mix of uses within the complex. The proposal is to allow additional restaurant and office uses and remove the theatre uses. The originally Entitled 90,000 square feet of activity will not be increased. The various uses proposed total 99,000 sq. ft., in order to be consistent with the recently approved Owner Participation Agreement.</p> <p>The proposal will amend the total amount of square footage which will be available for each use. The mix of uses may be transferred from suite to suite, without the need for additional Entitlement, provided the proposed change remains within the allowances approved by this Amended Entitlement. The proposed use mix is attached in the comparative chart.</p> <p>The construction modifications are limited to the interiors of the second and third floors. No exterior modifications are proposed. On the second floor approximately 3,200 sq. ft. of restaurant space is proposed to be added to the existing restaurant suite (occupied by Sparks). In addition, approximately 22,000 sq. ft. of office space will be created. On the third floor approximately 5,000 sq. ft. of additional office space will be established in the former theatre projection rooms.</p>
<u>Zoning and General Plan:</u>	The property is zoned Downtown Specific Plan Area 5 and the General Plan designation is MV-F12-sp-pd
<u>Surrounding Uses:</u>	North-Parking Structure/Restaurants/Retail East-Medical Office/Residential South-Residential Condominiums West-Retail/Restaurants
<u>Environmental Status:</u>	There are no significant environmental impacts associated with this project. The project site is not within a known hazardous waste and substance site.
<u>Land Use Compatibility:</u>	The proposed project is compatible with existing businesses in the area and will comply with the City's noise ordinance and the hours of operation will be consistent with other businesses within the downtown area.

Pierside Pavilion Uses

USES	CUP 88-7 CDP 88-3	CUP 90-37 CDP 90-21	PROPOSED ENTITLEMENT PLAN AMENDMENT	PROPOSED CHANGE IN USES
Retail	23,575 sq. ft.	12,624 sq. ft.	19,000 sq. ft.	+6,376 sq. ft.
Restaurant*	16,500 sq. ft.	26,731 sq. ft.	29,000 sq. ft.	+2,269 sq. ft.
Office	15,925 sq. ft.	15,925 sq. ft.	51,000 sq. ft.	+35,075 sq. ft.
Theater**	30,000 sq. ft.	30,000 sq. ft.	-	-30,000 sq. ft.
Subtotal	86,000 sq. ft.	85,280 sq. ft.	99,000 sq. ft.***	+13,720 sq. ft.
Total Gross Area	90,000 sq. ft.	90,000 sq. ft.***	90,000 sq. ft.***	
Onsite	297 sp.	296 sp.	297 sp.	
Offsite	624 sp.	624 sp.	150 sp.	
Total	921 sp.	920 sp.	447 sp.	-

7/15/2009

* Includes outdoor dining and nite club (Note: Nite Club use is not requested with the proposed Amendment)

** 1,750 seats

*** Approved gross sq. ft. is greater than the sum of the individual uses.

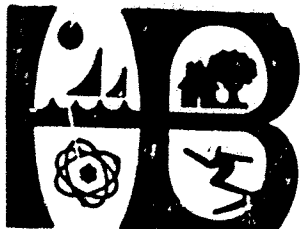
**** The approved Owner Participation Agreement allowed for an additional capacity in each land use category provided the projects total square footage does not exceed 90,000 square feet.

Pierside Pavilion Parking

REQUIRED PARKING	CUP 88-7 CDP 88-3	CUP 90-37 CDP 90-21	ADDITIONAL PARKING NEEDED	PROPOSED ENTITLEMENT PLAN AMENDMENT*
Retail	94 sp. (1/250)	51 sp. (1/250)	19 sp.	57 sp. (1/333)
Restaurant	110 sp. (1/150)	178 sp. (1/150)	23 sp.	290 sp. (1/100)
Office	16 sp. (1/1000)	16 sp. (1/1000)	70 sp.	102 sp. (1/500)
Theater	583 sp. (1/3 seats)	583 sp. (1/3 seats)		—
Total Parking Required	803 sp.	828 sp.	112 sp.	449 sp.

7/15/2009

* Assuming all uses (existing and proposed) are required to provide parking by the existing standard.



Huntington Beach Planning Commission

P.O. BOX 180

CALIFORNIA 92648

April 19, 1988

California Resorts/
City of Huntington Beach
Redevelopment Agency

SUBJECT: CONDITIONAL USE PERMIT NO. 88-7 WITH SPECIAL PERMITS,
COASTAL DEVELOPMENT PERMIT NO. 88-3 AND TENTATIVE TRACT
NO. 13478

REQUEST: To develop a mixed use project with a 90,000 square foot
entertainment complex, including retail, office and a
6-plex movie theater in addition to a 160 unit
condominium project.

LOCATION: The area approximately bounded by Pacific Coast Highway,
Main Street, Walnut Avenue and Second Street

**DATE OF
APPROVAL:** April 5, 1988

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 88-7:

1. The proposed mixed use project with an entertainment/commercial center (a maximum 1,750 seat theater; 23,575 square feet of commercial; 15,925 square feet of office space; 10,000 square foot restaurant with 3,500 square foot outdoor deck area; and a maximum 3,000 square foot night club) and 130 condominium units will not have a detrimental effect upon the general health, welfare, safety and convenience of persons residing or working in the vicinity and will not be detrimental to the value of the property and improvements in the vicinity. All required parking for the proposed project will be provided on-site for the residential portion with a minimum of 300 spaces on-site for commercial. The remainder (approximately 675 spaces) will be provided within a parking facility adjacent to the proposed site.
2. The proposed mixed use project with entertainment/commercial center and 130 condominium units is designed to be compatible with existing and proposed uses in the vicinity.

3. The location, site layout and design of the proposed mixed use project with entertainment/commercial center and 130 unit condominium project is properly related to the streets, drives and other structures and uses in the vicinity in a harmonious manner.
4. The architecture and design of the proposed mixed use project is in conformance with the adopted Design Guidelines for the Downtown Specific Plan.
5. The general appearance including architectural features of the proposed mixed use project shall enhance the orderly and harmonious development of the Downtown Specific Plan.
6. The proposed mixed use project with entertainment/commercial center and 130 condominium units is consistent with the goals and policies of the Huntington Beach General Plan.

FINDINGS FOR APPROVAL - SPECIAL PERMITS:

1. The following special permits for deviations to the requirements of the Downtown Specific Plan promote a better living environment and provide maximum use of the land in terms of site layout and design; exceeding the required amount of common open space.
 - a. Setbacks of 10 feet in lieu of 15 feet along Pacific Coast Highway and Walnut for encroachment of a colonade.
 - b. A reduction in the required alley width from 30 feet to 27 feet and a reduction in the main accessway width from the required 28 feet to 27 feet.
 - c. An increase in site coverage to create a better project profile and to help reduce the potential conflict of adjacent residential and commercial uses is necessary. Residential will have a maximum site coverage of 59 percent and commercial a maximum of 60 percent. At the request of the Planning Commission the residential site coverage was increased from 50 percent to a maximum of 59 percent.
2. The approval of the special permits for encroachment in setbacks, accessway widths and increase in site coverage will not be detrimental to the general health, welfare, safety and convenience of the neighborhood in general, nor detrimental or injurious to the value of property or improvements of the neighborhood.

3. The special permit requests for encroachment in setbacks, accessway widths and increase in site coverage are consistent with the objectives of the Downtown Specific Plan in achieving a development adapted to the parcel and compatible with the surrounding environment.
4. The special permits for encroachment in setbacks, accessway widths and increase in site coverage are consistent with the policies of the Coastal Element of the City's General Plan and the California Coastal Act.

FINDINGS FOR APPROVAL - TENTATIVE TRACT 13478:

1. The proposed two lot subdivision for condominium and commercial purposes of the 170,912 net square foot parcel of land zoned Downtown Specific Plan-District 3, is proposed to be constructed having 130 residential condominium units and 90,000 square feet of commercial and retail.
2. The property was previously studied for a greater intensity of land use at the time the land use designation and Downtown Specific Plan-District 3 zoning designation were placed on the subject property.
3. The Huntington Beach General Plan is designed with provisions for the type of land use proposed, mixed use with entertainment/commercial center and residential, as well as setting forth provisions for the implementation of the proposed project.
4. The site is relatively flat and physically suitable for the proposed density and type of development.
5. Tentative Tract 13478 is consistent with the goals and policies of the Huntington Beach General Plan.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 88-3:

1. The proposed mixed use project with entertainment/commercial center and 130 residential condominium units conforms with the plans, policies, requirements and standards of the Huntington Beach Coastal Element.

CONDITIONAL USE PERMIT NO. 88-7 WITH SPECIAL PERMITS, COASTAL
DEVELOPMENT PERMIT NO. 88-3 AND TENTATIVE TRACT NO. 13478
Page Four

2. Coastal Development Permit No. 88-3 is consistent with the CZ suffix and the Downtown Specific Plan as well as other provisions of the Huntington Beach Ordinance Code applicable to the project.
3. The proposed mixed use project with entertainment/commercial center and 130 condominium units shall be provided with infrastructure in a manner that is consistent with the Huntington Beach Coastal Element and Land Use Plan of the General Plan.
4. The proposed mixed use project with entertainment/commercial center and 130 condominium units conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act.
5. The Mellow Bill Affordable Housing requirements, Government Code Section 65590(d), are satisfied in the following manner:
 - a. The City has provided density bonuses within three miles of the coastal zone which have provided affordable housing.
 - b. Due to the location and economics involved it would not be feasible to develop affordable housing on this site. The value of the land coupled with the need to provide subterranean parking on site would prohibit the ability to provide for affordable housing.

CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 88-7:

1. The site plan, floor plan and elevations received and dated March 25, 1988, shall be the conceptually approved layout with the modifications described herein:
 - a. Number of units shall be reduced from 160 to 130 in order to create a greater separation of the residential from the commercial portions of the project; provide an increase in the average unit size; provide for a better overall building profile; and to provide greater view opportunities.
 - b. The finished floor of the first level units and adjacent common open space areas of the residential portion of the project shall be elevated to a maximum of 8 feet above existing grade for the creation of a greater physical separation of the residential from the commercial portions of the project.

- c. The residential building elevations adjacent to Pacific Coast Highway and Second Street shall be modified to show a greater degree of upper story setback or other building wall movement, subject to review by the Design Review Board.
- d. The vallet/passenger drop off area adjacent to Walnut Avenue shall be modified to reduce the potential conflict of pedestrians and vehicles entering the project, subject to review by the Planning Commission.
- e. The residential project shall include the following sound mitigation features:
 - (1) Double glassing on all exterior perimeter windows
 - (2) Intensified landscape materials with water feature
 - (3) Vertical separation from pedestrian accessway
- f. All private open space shall comply with the minimum dimension and square feet requirements of the Downtown Specific Plan.
- g. Parking layout shall show minimum 26 foot aiseways with all spaces dimensioned at 8-1/2 feet by 18 feet except those adjacent to a wall over 42 inches in height which shall be 12 feet in width.
- h. Depict all utility apparatus, such as but not limited to backflow devices and Edison transformers, on the site plan. They shall be prohibited in the front and exterior yard setbacks unless properly screened by landscaping or other method approved by the Community Development Director.
- i. Depict commercial electrical vault in a location that presents the least public hazard subject to review and approval by the Fire Department, Public Works Department and Community Development Department.
- j. Adequate trash enclosures shall be provided with a method of trash pick up subject to the approval of the Public Works Department and Community Development Department.
- k. The three security gates in the residential parking structure shall be located so no dead-end driveways are created for guest parking.

CONDITIONAL USE PERMIT NO. 88-7 WITH SPECIAL PERMITS, COASTAL
DEVELOPMENT PERMIT NO. 88-3 AND TENTATIVE TRACT NO. 13478
Page Six

1. Circulation in the entertainment center parking structure shall provide a continuous flow on the first level down to the second level subject to the approval of the Public Works Department and Department of Community Development.
- m. Site coverage shall not exceed 59 percent for residential and 60 percent for commercial.
- n. Parking layout shall be modified to add an additional 155 spaces on-site. If it is not feasible to incorporate the total additional spaces on-site, the shortfall must be made up in the off-site adjacent parking structure as identified in Condition No. 3.
2. Prior to the issuance of building permits, the following shall be completed:
 - a. Street improvements as determined necessary by the Fire Department.
 - b. Water mains and fire hydrants shall be installed and operating.
 - c. All existing or abandoned oil well sites must be abandoned pursuant to Department of Gas and Oil and Fire Department standards.
 - d. A circulation and parking management plan by a traffic engineer addressing valet parking, ingress and egress to the site, the allocation and assignment of parking spaces for residential tenants, and the need for a second ingress and egress ramp to the residential subterranean parking structure shall be submitted and approved by the Department of Community Development.
 - e. Prior to combustible or above grade construction, a fire protection plan, pursuant to Article 87 of the Huntington Beach Fire Code, shall be submitted for approval by the Fire Department. The plan shall have provisions for: phased installation of sprinkler systems, on-site security, and telephone for emergency notification.
 - f. Final tract map for the subject site shall be accepted by the City Council and recorded with the County Recorder's Office.

- g. A copy of the revised site plan, elevations and floor plans, pursuant to Condition No. 1 of this report shall be submitted as record for the conditional use permit file.
 - h. A landscape and irrigation plan pursuant to the Downtown Design Guidelines and Article 960 shall be submitted and approved by the Community Development Department and Public Works Department.
 - i. A rooftop mechanical screening plan submitted and approved by the Department of Community Development.
 - j. An affordable housing agreement plan to provide affordable housing within 3 miles of the Coastal Zone for the replacement of the 12 existing units displaced as a result of this project shall be submitted for review and approval by the Community Development Department.
 - k. Hydrology/hydraulic drainage studies shall be submitted to the Public Works Department for approval.
 - l. A grading plan and soils report shall be submitted to the Department of Public Works for approval.
 - m. All applicable Public Works fees shall be paid prior to issuance of building permits.
 - n. The applicant shall post a cash deposit for the public improvements on one-half width of Main Street from Pacific Coast Highway to Heidi's adjacent to the subject property in an amount to be determined by Public Works.
 - o. The parking facility identified in Condition No. 5 shall be approved by the City of Huntington Beach.
3. The following Fire Department requirements shall be complied with:
- a. Fire lane shall be minimum 27 feet clear width from Walnut to Pacific Coast Highway. Turf block is unacceptable as a fire lane surface.
 - b. Building address numbers shall be installed pursuant to Fire Department standards.

- c. Fire flow for entertainment/condominium plan is 4,750 gallons per minute. Water system shall provide minimum fire flows.
 - d. Five fire hydrants are required for this project in locations to be approved by the Fire Department.
 - e. Alleyway from Walnut Avenue, behind existing buildings shall be a minimum 27 feet clear width for Fire Department access.
 - f. All structures in project shall be provided with the following:
 - (1) Automatic fire sprinklers throughout with combination standpipe systems;
 - (2) Fire alarm system with graphic annunciators.
 - g. Elevators throughout project shall be a minimum size of 6 feet-8 inches by 4 feet-3 inches with minimum opening of 42 inches.
 - h. Access for emergency purposes shall be provided to all perimeter stairways from public streets.
4. The following Public Works Department requirements shall be complied with:
- a. A right turn lane shall be constructed at Pacific Coast Highway and Main Street per City and CalTrans design criteria. The appropriate right of way shall be dedicated to accommodate the right turn lane.
 - b. The traffic signal at Pacific Coast Highway and Main Street shall be relocated per City and CalTrans standards.
 - c. Walnut Avenue, Main Street and Second Street shall be constructed per Public Works standards.
 - d. Driveways shall be 27 feet wide minimum and radius type construction.

- e. The parking structure for the condominium units requires two entries/exits unless one entry is determined adequate by a traffic engineer pursuant to Condition No. 2.d.
- f. The proposed 27 foot wide commercial alley is adequate until the property to the west dedicates an additional 5 feet.
- g. Landscaping (including public right of way) shall be per the Downtown Guidelines and maintained by the developer/homeowner's association.
- h. Street lighting shall be installed per the Downtown Guidelines and the City electrician's requirements.
- j. Parking shall be prohibited on Walnut Avenue and Pacific Coast Highway.
- j. All utilities located in the alleys and streets to be abandoned shall be removed per the direction of utility companies' representatives.
- k. A 12 inch minimum sewer main shall be constructed in Main Street and Walnut Avenue and connect to the County's coast truck sewer at the alley between Main and Third Street.
- l. A 12 inch water mains shall be constructed in:
 - (1) Main Street from the existing 12 inch main in the south side of Pacific Coast Highway to Walnut Avenue.
 - (2) Walnut Avenue from Main to Second Street, connecting the existing mains in the north/south alleys.
 - (3) Second Street from Walnut to Pacific Coast Highway.
- m. Any on-site water facilities required to be dedicated to the City shall be located in vehicular travelways. The developer/homeowner's association shall be held responsible for repairing the enhanced pavement, if the water facilities need to be maintained or repaired.
- n. All security gate configurations shall include on-site turn-arounds (no backing into the streets) and shall be approved by the Public Works Department, Fire Department and Community Development Department.

5. The project shall be responsible for providing the balance of required off-street parking spaces in a parking structure to be built at the northwest corner of Walnut and Third Streets. Prior to the issuance of a building permit, an off-site parking plan shall be approved and adopted by the City as identified in these conditions or other adequate contingency plan. Such parking sufficient for this project and off-site requirements shall be available prior to the issuance of a Certificate of Occupancy for the theaters.
6. Provide a centralized mail delivery facility which shall be architecturally compatible with the structures.
7. All dwellings on the subject property shall be constructed in compliance with State Acoustical standards set forth for units that are within the 60 CNEL contour of the property.
8. All guest parking spaces for residential shall be designated as such by marking "Guest Parking" on the surface of each stall.
9. Street furniture and other required improvements shall be provided in public plaza areas according to the Downtown Design Guidelines and dedicated to the City of Huntington Beach.
10. A planned sign program shall be submitted to the Design Review Board for review and approval for all signing. Said program shall be approved by the Department of Community Development prior to the first sign request.
 - a. Advertising of the theater complex, including the marquee, shall not be permitted at the corner of Pacific Coast Highway and Main Street.
11. All building spoils, such as unusable lumber, wire, pipe, and other surplus or unusable material, shall be disposed of at an off-site facility equipped to handle them.
12. Natural gas shall be stubbed in at the locations of cooking facilities, water heaters, and central heating units. This requirement may be waived provided the applicant installs a more energy efficient alternative subject to the review and approval by the Community Development Department.
13. Low-volume heads shall be used on all spigots and water faucets.
14. If lighting is included in the parking lot, high-pressure sodium vapor lamps shall be used for energy savings. All outside lighting shall be directed to prevent "spillage" onto adjacent properties.

15. The location of the night club shall be limited to 3,000 square feet at a location facing Main Street subject to review and approval by the Community Development Director.
16. Conditional Use Permit No. 88-7 and Coastal Development Permit No. 88-3 shall not become effective until the proposed revisions to the Downtown Specific Plan are approved by City Council and in effect.
17. Any modifications to plans shall be subject to additional review and approval by the Planning Commission. Any modifications which result in an increase of project intensity shall be subject to additional public hearings. Modifications to interior layouts or exterior finishes shall be subject to Design Review Board review and approval.

CONDITIONS OF APPROVAL - TENTATIVE TRACT 13478:

1. Prior to final recordation of Tentative Tract 13478 the following shall be completed:
 - a. CC&R's for the subdivision addressing the conditions herein, Article 915 and Condition 2.d of Conditional Use Permit No. 88-7 shall be reviewed and approved by the City Attorney and Department of Community Development in accordance with Article 915.
 - b. Legal documents which will provide for restricting the use of common spaces for the designated purpose, as approved on the final development plan, for the residential project, shall be submitted and approved by the Department of Community Development and the City Attorney.
2. The tentative tract map shall be revised to show:
 - a. Typical cross section for Pacific Coast Highway and the public alley.
 - b. Right of way radii of 25 feet at Pacific Coast Highway and Main and Pacific Coast Highway and Second Street.
 - c. Right of way radii of 30 feet at Walnut and Second Street.
 - d. A 12 foot wide raised median in Walnut Avenue.

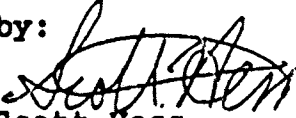
- e. The sidewalk in Second Street is 7 foot wide.
- f. Adjustment in lot lines, if necessary, to be consistent with division between commercial and condominium uses.
- 3. All Pacific Coast Highway improvements shall meet CalTrans criteria.
- 4. Vehicular access rights to the streets surrounding the tract shall be dedicated to the City except at approved driveway locations.
- 5. Tentative Tract No. 13478 shall not become effective until the proposed revisions to the Downtown Specific Plan have been approved by City Council and are in effect.

I hereby certify that Conditional Use Permit No. 88-7 with Special Permits, Coastal Development Permit No. 88-3 and Tentative Tract No. 13478 was approved by the Planning Commission of the City of Huntington Beach on April 5, 1988, upon the foregoing findings and conditions. This approval represents conceptual approval only; detailed plans must be submitted for review and the aforementioned conditions completed prior to final approval.

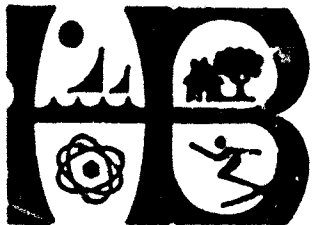
Sincerely,

Mike Adams, Secretary
Planning Commission

by:


Scott Hess
Senior Planner

MA:SH:kla
(0393d-1-12)



Huntington Beach Planning Commission

P.O. BOX 190

CALIFORNIA 92648

July 25, 1990

City of Huntington Beach/California Resorts
222 - 5th Street
Huntington Beach, CA 92648

SUBJECT: CONDITIONAL USE PERMIT NO. 90-37/COASTAL DEVELOPMENT
PERMIT NO. 90-21

REQUEST: Modification of Conditional Use Permit No. 88-7 and
Coastal Development Permit No. 88-3 to change the
square footage mix of uses at Pierside Pavilion
(reduced retail square footage and increased restaurant
square footage).

LOCATION: 300 Pacific Coast Highway

**DATE OF
APPROVAL:** July 24, 1990

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 90-21:

1. The proposed mixed commercial development conforms with the plans, policies, requirements and standards of the Huntington Beach Coastal Element of the General Plan, including provision of adequate parking for new development in the Coastal Zone, because the valet plan for the Pavilion structure combined with the City structure will accommodate the demand generated.
2. Coastal Development Permit No. 90-21 is consistent with the CZ (Coastal Zone) suffix, the Downtown Specific Plan and other provisions of the Huntington Beach Ordinance Code applicable to the property.
3. At the time of occupancy, the proposed mixed commercial development can be provided with infrastructure in a manner that is consistent with the Huntington Beach Coastal Element and Coastal Land Use Plan of the General Plan.

ATTACHMENT NO. 6.1

4. The proposed mixed commercial development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 90-37:

1. The location and design of the proposed valet parking properly adapts the structures to the proposed mix of uses in a harmonious manner. Through the use of valet parking the additional parking spaces required by the modified mix of uses can be provided.
2. The access to and parking for the mixed use development as proposed does not create an undue traffic problem.
3. The proposed mix of uses is consistent with the General Plan Land Use Designation of Visitor Serving Commercial, and implements the provisions of the Downtown Specific Plan District 3 (Visitor Serving Commercial).

CONDITIONS OF APPROVAL:

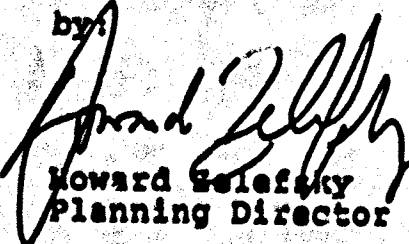
1. A full size (18 inch X 24 inch) parking management plan shall be submitted for review and approve by the Planning Commission. The plan shall detail those areas reserved for attendant parking and self parking during each hour that the structure is open. A written narrative shall accompany the plan, which details the method of transitioning spaces from self parking to attendant parking as the need increases. The narrative shall describe the percentage of attendant versus self parking during each hour, and its location. The narrative shall also outline a plan for validated parking in the structure for patrons of Pierside Pavillion. A minimum of 2 hours validated parking shall be provided to the customers of Pierside Pavillion.
2. Any change in type of use and/or square footage which would increase the number of required parking spaces shall be subject to review and approval by the Planning Commission.
3. All applicable conditions of Conditional Use Permit No. 83-7 and Coastal Development Permit 88-3 shall remain in effect.

I hereby certify that Conditional Use Permit No. 90-37 and Coastal Development Permit No. 90-21 were approved by the Planning Commission of the City of Huntington Beach on July 24, 1990, upon the foregoing findings and conditions. This approval represents conceptual approval only; detailed plans must be submitted for review and the aforementioned conditions completed prior to final approval.

Sincerely,

Mike Adams, Secretary
Planning Commission

by:



Howard Selesky
Planning Director

(6634d-1,3)